

## REMARKS

The Non-Final Office Action mailed January 11, 2010 considered and rejected claims 1-13, 17-21, 23-33 and 38. Claims 23-33 and 38 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Sadhu et al.* (US 7,174,348) hereinafter *Sadhu* in view of *Carlson* (US 2003/0046282) hereinafter *Carlson*. Claims 1-13, 17-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Sadhu* in view of *Carlson* and further in view of Chulani ("Modeling Software Defect Introduction") hereinafter *Chulani*.<sup>1</sup>

By the foregoing amendments, claims 1, 23 and 38 are amended and claims 2-3 are cancelled without prejudice. Thus, claims 1-13, 17-21, 23-33 and 38 are pending, of which claims 1, 23 and 38 are the independent claims at issue.

### **A. Rejections under 35 U.S.C. 103(a)**

Applicant respectfully traverses rejections above at least because the cited references, either alone or in combination, fail to recite each feature recited in the claims. Nevertheless, Applicant has amended independent claims 1, 23 and 38 to further distinguish them over the cited references. Claim 23 now recites, among other things, that the first API comprises:

- a first web service which returns artifact identifiers comprising universal resource identifiers (URIs) that individually correspond to artifacts of the first application;  
and
- a first method that receives a URI as a parameter and returns an instance of an artifact that has an artifact identifier that matches the URI that was received as the parameter

Support for these amendments may be found throughout the specification and drawings, including but not limited to, paragraphs [0106] & [0112] in the published application.

In contrast, *Sadhu* discloses artifacts created by various software development tools,<sup>2</sup> but these software development tools do not reciprocally access and use the artifacts of each other.

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<sup>1</sup> Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

<sup>2</sup> See *Sadhu*, at 7:16-20.

Instead, *Sadhu* merely discloses a central system that gathers and organizes the artifacts.<sup>3</sup> The central system of *Sadhu* does not enable any of these software development tools to reciprocally access and use the artifacts of each other. Moreover, *Sadhu* does not disclose any APIs configured to provide such access and such use among these software development tools.

While *Carlson* discloses an artifact interface 53, *Carlson* does **not** disclose software development tools that reciprocally access and use the artifacts of each other and certainly **not** "the second application being configured to access the referenced artifact of the first application via the first API, the first application being configured to access the referring artifact of the second application via the second API," as recited in claim 23.

Moreover, *Carlson* does **not** disclose that its artifact interface 53 comprises "a first web service which returns artifact identifiers comprising universal resource identifiers (URIs) that individually correspond to artifacts of the first application; and a first method that receives a URI as a parameter and returns an instance of an artifact that has an artifact identifier that matches the URI that was received as the parameter," as recited in claim 23. *Chulani* does not have these features either.

Accordingly, independent claim 23 is allowable. Independent claims 1 and 38 recite similar features and are allowable for similar reasons. The dependent claims are allowable for at least the same reasons as the independent claims from which they depend.

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

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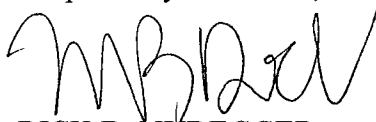
<sup>3</sup> See *Sadhu*, at 8:6-23.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

The Commissioner is hereby authorized to charge payment of any of the following fees that may be applicable to this communication, or credit any overpayment, to Deposit Account No. 23-3178: (1) any filing fees required under 37 CFR § 1.16; and/or (2) any patent application and reexamination processing fees under 37 CFR § 1.17; and/or (3) any post issuance fees under 37 CFR § 1.20. In addition, if any additional extension of time is required, which has not otherwise been requested, please consider this a petition therefore and charge any additional fees that may be required to Deposit Account No. 23-3178.

Dated this 7<sup>th</sup> day of July, 2010.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'MBD', with a long horizontal flourish extending to the right.

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